

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**ENTERED**

August 04, 2020

David J. Bradley, Clerk

CHRISTOPHER HELM

Petitioner

VS.

UNITED STATES OF AMERICA

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§

CIVIL ACTION NO. 2:19-CV-306

ORDER ADOPTING MEMORANDUM AND RECOMMENDATION

Before the Court is Magistrate Judge Julie Hampton's Memorandum and Recommendation (M&R). (D.E. 23). The M&R recommends that the Court grant Respondent's motion to dismiss (D.E. 22) and dismiss Helm's 28 U.S.C. § 2241 petition (D.E. 1) for lack of jurisdiction. (D.E. 23, p. 6).

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R.¹ *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed. When no timely objection has been filed, the district court need only determine whether the Magistrate Judge's M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam); *Powell v. Litton Loan Servicing, LP*, No. CIV. A. H-14-2700, 2015 WL 3823141, at *1 (S.D. Tex. June 18, 2015).

Having carefully reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, and finding that the

¹ Helm's mail was returned as undeliverable. (D.E. 24); *see also* (D.E. 15; D.E. 17; D.E. 21). Since then, the Court has waited an appropriate amount of time for an updated address. As a party, Helm is required to keep the Court apprised of his current address at all times and has failed to do so.

M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its entirety. (D.E. 23). Accordingly:

(1) Respondent's motion to dismiss is **GRANTED**. (D.E. 22).

(2) Helm's § 2241 petition (D.E. 1) is **DISMISSED** for lack of jurisdiction—**with prejudice** on the jurisdictional issue but **without prejudice** on the merits of the claim.

SIGNED and ORDERED this 4th day of August 2020.



DAVID S. MORALES
UNITED STATES DISTRICT JUDGE